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Attorneys for Defendants

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

DUAN LEI,

Plaintiff,

v.

KRISTI NOEM,¹ Secretary of the United States
Department of Homeland Security, *et al.*,

Defendants.

Case No. 3:24-cv-04998 LJC

**STIPULATION TO STAY PROCEEDINGS;
ORDER**

The parties, through their attorneys, hereby stipulate and respectfully request the Court to stay proceedings in this case for a limited time, until September 11, 2025. The parties make this joint request because they are pursuing an administrative resolution that may render further litigation of this case unnecessary.

1. Plaintiff filed this mandamus action seeking adjudication of his Form I-589, Application for Asylum and Withholding of Removal. United States Citizenship and Immigration Services (“USCIS”) scheduled an interview for May 14, 2025. USCIS will work diligently towards completing adjudication of the I-589 application, absent the need for further adjudicative action or unforeseen

¹ Kristi Noem is automatically substituted as the defendant in this matter in accordance with Federal Rule of Civil Procedure 25(d).

1 circumstances that would require additional time for adjudication.

2 2. Plaintiff agrees to submit all supplemental documents and evidence to USCIS seven to
3 ten days prior to the agreed upon scheduled interview. Plaintiff agrees that failure to timely submit this
4 evidence may result in the rescheduling of the interview at no fault of USCIS.

5 3. If needed by Plaintiff or their dependent(s), Plaintiff shall bring their own interpreter to
6 their asylum interview. See [https://www.uscis.gov/newsroom/alerts/affirmative-asylum-applicants-must-
7 provide-interpreters-starting-sept-13](https://www.uscis.gov/newsroom/alerts/affirmative-asylum-applicants-must-provide-interpreters-starting-sept-13). Plaintiff recognizes that failure to bring an interpreter to their
8 interview may result in the interview being rescheduled at no fault of USCIS.

9 4. Upon receipt of USCIS' decision, Plaintiff agrees to voluntarily dismiss the case.

10 5. The parties agree to bear their own litigation costs and attorney fees.

11 Accordingly, the parties stipulate and request that the proceedings in this case be stayed until
12 September 11, 2025, at which time the parties will file a joint status report with the Court. At that time,
13 the parties may request a further continuance of the stay of proceedings, dismissal of the litigation if
14 appropriate, or placement of the case back on the Court's active docket. A stay of proceedings in this
15 case will benefit the parties and conserve the Court's resources while the parties pursue a potential
16 administrative resolution.

17 Dated: February 3, 2025

Respectfully submitted,²

18 ISMAIL J. RAMSEY
19 United States Attorney

20 /s/ Elizabeth D. Kurlan
21 ELIZABETH D. KURLAN
22 Assistant United States Attorney
23 Attorneys for Defendants
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27 ² In accordance with Civil Local Rule 5-1(i)(3), the filer of this document attests that all
28 signatories listed herein concur in the filing of this document.

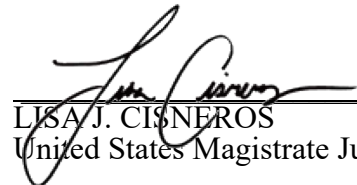
1 Dated: February 3, 2025

2 /s/ David W. Ewing
3 DAVID W. EWING
4 Attorney for Plaintiff

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6
7 **ORDER**

8 Pursuant to stipulation, IT IS SO ORDERED.

9 Date: February 4, 2025

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11 LISA J. CISNEROS
12 United States Magistrate Judge
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